

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VICTOR HOUX,

Plaintiff,

v.

FRESNO COUNTY,

Defendant.

Case No.: 1:24-cv-00116-CDB (PC)

ORDER DISCHARGING MAY 5, 2025,
ORDER TO SHOW CAUSE

(Docs. 8, 9)

ORDER DIRECTING CLERK OF THE COURT
TO CORRECT THE DOCKET AND RE-
SERVE PLAINTIFF THE FIRST SCREENING
ORDER AND ORDER DIRECTING
PLAINTIFF TO SUBMIT SERVICE
DOCUMENTS

(Docs. 6, 7)

Plaintiff Victor Houx (“Plaintiff”) is a civil detainee proceeding pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Following screening, this action proceeds on Plaintiff’s complaint, filed on January 25, 2024, against Defendant Fresno County for claims under *Monell* for failure-to-protect and failure-to-train. (Doc. 1).

On March 14, 2025, the Court entered an order finding service appropriate and forwarded service documents to Plaintiff to complete and return within 30 days from the date of service of the order. (Doc. 7). On March 24, 2025, service of the order by mail on Plaintiff at his last known address—Coalinga State Hospital, P.O. Box 5003, Coalinga, CA 93210—was returned as undeliverable, and Plaintiff was ordered to file a notice of change of address by May 1, 2025. (See Dkt. 3/24/2025).

1 After it appeared Plaintiff failed to timely file a notice of change of address, on May 5,
2 2025, the Court ordered Plaintiff to show cause in writing why sanctions should not be imposed for
3 his failure to keep the Court apprised of his current address and to comply with the Court's order
4 and the Local Rules. (Doc. 8).

5 On May 19, 2025, Plaintiff filed a response to the show cause order. (Doc. 9). Plaintiff
6 represents that his address "has not change[d] in years" and that the only order he "has received
7 concerning this issue" appears to be the May 5, 2025, show cause order. (*Id.* at 1). Plaintiff requests
8 the Court to send any previous documents or orders in case he "did not receive them." (*Id.* at 2).
9 Plaintiff affirms his address is still Coalinga State Hospital, P.O. Box 5003, Coalinga, CA 93210.
10 (*Id.*).

11 Upon review of the docket and Plaintiff's filings (Docs. 1, 9), it appears the docket reflects
12 the incorrect patient/detainee number for Plaintiff. Plaintiff's complaint includes a handwritten
13 patient/detainee number which reflects "#1195-7" (Doc. 1 at 1) as well as in his response to the
14 show cause order (Doc. 9 at 1) while the docket incorrectly records Plaintiff's patient/detainee
15 number as "1195-1." Based on Plaintiff's response to the show cause order and the apparent
16 docketing error of Plaintiff's patient/detainee number, the Court finds good cause to discharge the
17 order to show cause.

18 The Court will direct the Clerk of the Court to correct the docket to reflect Plaintiff's correct
19 patient/detainee number as "1195-7" and to re-serve upon him the First Screening Order (Doc. 6)
20 and the March 14, 2025, order directing him to submit service documents and USM-285 forms
21 (Doc. 7). Plaintiff is directed to comply with the March 14, 2025, order upon receipt of the order.
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1 **Conclusion and Order**

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The May 5, 2025, show cause order (Doc. 8) is DISCHARGED;

4 2. The Clerk of the Court is DIRECTED to correct the docket to reflect Plaintiff's
5 patient/detainee number as "1195-7";

6 3. The Clerk of the Court is DIRECTED to re-serve upon Plaintiff at his corrected address
7 (1) the First Screening Order (Doc. 6), and (2) the March 14, 2025, order directing
8 Plaintiff to submit service documents and USM-285 forms (Doc. 7) and service
9 documents for completion and return as set forth therein; and

10 4. Upon receipt of the March 14, 2025, order (Doc. 7) and service documents, Plaintiff is
11 directed to comply with the March 14, 2025, order (Doc. 7).

12 **Any failure by Plaintiff to comply with this order will result in a recommendation that**
13 **this action be dismissed.**

14 IT IS SO ORDERED.

15 Dated: May 21, 2025


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17 UNITED STATES MAGISTRATE JUDGE

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